

UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

Juan Francisco LOMELI-MEDINA

Case: 2:24-mj-30485

Assigned To : Unassigned

Assign. Date : 11/12/2024

Case No. Description: RE: JUAN FRANCISCO
LOMELI-MEDINA (EOB)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 3, 2024 in the county of Macomb in the
Eastern District of Michigan, the defendant(s) violated:*Code Section**Offense Description*

8 U.S.C. §§ 1326(a), (b)(2)

Unlawful Reentry Following Removal from the United States

This criminal complaint is based on these facts:

On or about November 3, 2024, in the Eastern District of Michigan, Southern Division, Juan Francisco LOMELI-MEDINA, an alien who had previously been convicted of an aggravated felony offense and was subsequently removed from the United States on or about September 21, 2022 at or near El Paso, Texas, was thereafter found in the United States without having obtained the express consent of the Attorney General of the United States or the Secretary of the Department of Homeland Security to re-apply for admission thereto; in violation of Title 8, United States Code, Sections 1326(a), (b)(2).

☒ Continued on the attached sheet.Sworn to before me and signed in my presence
and/or by reliable electronic means.Date: 11/12/2024City and state: Detroit, Michigan*Complainant's signature*Jason Armstrong, Deportation Officer*Printed name and title**Judge's signature*Hon. David Grand, United States Magistrate Judge*Printed name and title*

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**AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT AND ARREST
WARRANT**

I, Jason Armstrong, declare the following under penalty of perjury:

1. I am a Deportation Officer employed with Immigration and Customs Enforcement (ICE), Enforcement and Removal Operations (ERO) of the United States Department of Homeland Security (DHS) at the Detroit Field Office. I have been employed in this capacity since September 2017. I am currently assigned to the Detroit ICE-ERO Criminal Alien Program. Previously, I served as an Investigative Analyst with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) for approximately two years and as a Correctional Officer with the Bureau of Prisons (BOP) for approximately five years.
2. This affidavit is submitted for the limited purpose of establishing probable cause in support of a criminal complaint and an arrest warrant for Juan Francisco LOMELI-MEDINA, a native and citizen of Mexico, who has violated Title 8, United States Code, Section 1326(a), (b)(2), unlawful re-entry following removal from the United States subsequent to a conviction for an aggravated felony offense.
3. The information contained in this affidavit is based upon my personal knowledge and observations, information provided by other law enforcement personnel to include ICE ERO Deportation Officers, and database record checks. I have also reviewed records from the official immigration file and system automated data relating to LOMELI-MEDINA. I have not included every fact known to law enforcement related to this investigation.

PROBABLE CAUSE

4. LOMELI-MEDINA is a twenty-nine-year-old citizen and a native of Mexico who last entered the United States on an unknown date, at an unknown place, without being inspected and admitted or paroled by an immigration officer.

5. On August 27, 2011, Hamtramck Police arrested LOMELI-MEDINA for Public Peace and the case remains pending.
6. On October 9, 2014, United States Citizenship and Immigration Services (USCIS) granted LOMELI-MEDINA's Form I-821D, Application for Deferred Action for Childhood Arrivals (DACA), with work authorization valid until October 8, 2016.
7. On November 23, 2016, USCIS renewed LOMELI-MEDINA's work authorization and deferred action until March 24, 2019.
8. On March 12, 2019, LOMELI-MEDINA was convicted of Attempt - Delivery/Manufacture Cocaine less than 50 grams, in violation of Michigan Compiled Law (MCL) § 333.7401(1), (2)(a)(iv), an aggravated felony offense, in the Third Circuit Court for Wayne County, Michigan and sentenced to 18 months of probation.
9. On March 18, 2019, USCIS denied LOMELI-MEDINA's request to renew his work authorization and deferred action.
10. On April 9, 2019, ICE-ERO in Detroit, Michigan served LOMELI-MEDINA with a Form I-851A, Administrative Deportation / Removal Order.
11. On November 12, 2019, ICE-ERO removed LOMELI-MEDINA from the United States to Mexico through Brownsville, Texas.
12. On January 11, 2021, USCIS denied LOMELI-MEDINA's Form I-918, Petition for U-Nonimmigrant Status that he filed claiming to be a victim of a crime in the United States.
13. On July 13, 2022, United States Border Patrol arrested LOMELI-MEDINA at or near Santa Teresa, New Mexico and served him with a Form I-871, Notice of Intent/Decision to Reinstate Prior Order.
14. On September 19, 2022, the United States District Court for the District of New Mexico convicted LOMELI-MEDINA for Unlawful Reentry Following Removal from the United States, in violation of Title 8, United States Code, Sections 1326(a), (b)(2) and sentenced him to 70 days incarceration.

15. On September 21, 2022, ICE-ERO removed LOMELI-MEDINA from the United States to Mexico through El Paso, Texas.
16. On February 8, 2024, LOMELI-MEDINA entered a Lowe's Home Improvement store in Harper Woods, Michigan and applied for a department credit card using another individual's information and purchased \$2,829.59 worth of merchandise. The St. Clair Shores Police Department issued a warrant for LOMELI-MEDINA's arrest after facial recognition of the store's video surveillance matched LOMELI-MEDINA's driver's license photograph.
17. On November 3, 2024, St. Clair Shores Police Department arrested LOMELI-MEDINA on the outstanding warrant and charged him with Financial Transaction Device – False Statement of Identity, in violation of MCL § 750.157v. That same day, ICE-ERO was notified of defendant's arrest and issued a detainer with the Macomb County Jail.
18. On November 4, 2024, ICE-ERO arrested LOMELI-MEDINA after he was released by the Macomb County Jail and transported him to the ICE-ERO Detroit Field Office for processing.
19. The arrest and subsequent detention of LOMELI-MEDINA was an administrative, non-criminal action made pursuant to the authority found in sections 1357, 1225, 1226, and/or 1231 of Title 8, United States Code to arrest and detain any alien entering or attempting to enter the United States, or any alien present in the United States, who is reasonably believed to be in violation of any law or regulation regulating the admission, exclusion, expulsion, or removal of aliens.
20. LOMELI-MEDINA's fingerprints and photograph were captured and searched in the ICE/FBI systems. The fingerprints returned with a positive match for Juan Francisco LOMELI-MEDINA, a native and citizen of Mexico who had previously been removed from the United States.
21. A review of LOMELI-MEDINA's immigration file, record checks, and queries in the U.S. Department of Homeland Security databases confirmed that LOMELI-MEDINA did not obtain the permission or express consent from the Attorney General or the Secretary of the Department of Homeland Security to reapply for admission to the United States following his removal on September 21, 2022.

22. On November 4, 2024, ICE-ERO served LOMELI-MEDINA with Form I-871, Notice of Intent/Decision to Reinstate Prior Order.

CONCLUSION

23. Based on the above information, I believe there is probable cause to conclude that Juan Francisco LOMELI-MEDINA is native and citizen of Mexico who has previously been convicted of an aggravated felony offense and subsequently removed from the United States on or about September 21, 2022, at or near El Paso, Texas, and was thereafter found by immigration authorities in the United States, on or about November 3, 2024, in the Eastern District of Michigan, without first having obtained the express consent or permission of the Attorney General or the Secretary of the Department of Homeland Security to reapply for admission to the United States, all in violation of Title 8, United States Code, Sections 1326(a), (b)(2).



Jason Armstrong, Deportation Officer
Immigration and Customs Enforcement

Subscribed and sworn to before me in my
presence and/or by reliable electronic means.



Honorable David Grand
United States Magistrate Judge

November 12, 2024